

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

PILAR ASH,

Case No. 6:12-cv-02109-TC

Plaintiff,

ORDER

v.

DESCHUTES COUNTY; DESCHUTES  
COUNTY SHERIFF'S OFFICE; PAUL  
GARRISON; CASEY KARPSTEIN;  
SHANE NELSON; DERRON McMASTER;  
MICHAEL GILL; DAN BILYEU; JON  
ASH and JOAH ASH;

Defendants.

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Aiken, Chief Judge:

On May 29, 2014, Magistrate Judge Coffin issued his Findings and Recommendation in the above-captioned action and recommended that defendants' motions for summary judgment and to dismiss be granted and plaintiff's claims be dismissed. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make

a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Plaintiff filed timely objections; I have, therefore, given de novo review of Judge Coffin's opinion.

I find no error with any aspect of Judge Coffin's thoughtful and well-reasoned opinion. No competent evidence demonstrates a constitutional violation committed by a defendant, and even if such a violation had occurred, the Deschutes County defendants clearly would be entitled to qualified immunity given the undisputed facts. Further, the evidence does not support a claim for IIED. In short, as aptly noted by Judge Coffin, plaintiff's claims "are bereft of citation to pertinent precedent, and frequently provide conclusory assertions as substitutes for caselaw, other authority, or admissible evidence." Findings and Recommendation at 5.

Accordingly, Magistrate Judge Coffin's Findings and Recommendation (doc. 107) filed May 29, 2014 is ADOPTED in its entirety. Defendants' Motions for Summary Judgment and to Dismiss (docs. 79, 89) are GRANTED, and this case is DISMISSED.

IT IS SO ORDERED.

Dated this 6th day of August, 2014.

  
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Ann Aiken  
United States District Judge